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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/846,108	04/25/97	KIM	K

LMC1/0623

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LOS ANGELES CA 90071-2066

EXAMINER

APPIAH, C

ART UNIT	PAPER NUMBER
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2745

15

DATE MAILED: 06/23/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

08/846,108

Applicant(s)

Kim

Examiner

Charles Applah

Group Art Unit

2745



☒ Responsive to communication(s) filed on Mar 28, 2000

☒ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 25, 44, 47, 49, 50, 52-54, 60, 62, and 63 is/are pending in the applicat

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 25, 44, 47, 49, 50, 52-54, 60, 62, and 63 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 25, 44, 47, 49, 50,, 52-54, 60, 62 and 63 have been considered but are moot in view of the new ground(s) of rejection.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the audio recorder of claims 25, 44 and 54 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

### ***Claim Objections***

3. Claim 25 is objected to because of the following informalities: It appears a semi-colon should be inserted between "sounds" and "a" on line 11. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

4. Claims 25, 44, 47, 49, 50, 52-54, 60, 62 and 63 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the

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application was filed, had possession of the claimed invention. It is not adequately disclosed and made clear what constitutes and differentiates “a memory means in said housing for selectively storing said images captured by said camera and sounds captured by said microphone” an “an audio recorder mounted in said housing and having means for selectively recording audible transmissions to and from the cellular telephone for selectively recording sounds within a range of said housing” in claims 25, 44 and 54. (For examination purposes examiner is considering the “audio recorder” and the “capturing of sounds” as the same feature).

5. Claim 47 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The recitation of the limitation “said digital memory means” lack clear antecedent basis in claim 47. (For examination purposes examiner is reading the limitation as “said memory means”).

*Claim Rejections - 35 USC § 103*

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Shamosh et al. (5,144,661)** in view of **Hess (5,587,701)**.

Regarding claim 25, **Shamosh** discloses (with reference to FIG. 3), a security protection system that includes a camera, a microphone and a cellular telephone (32), electrically connected

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in a housing (60), with a battery means in the housing for supplying electrical power to the camera and the cellular telephone (38), means for activating the camera, microphone and the cellular telephone (sequence time controller of FIG. 1), for capturing images and sounds within a range of the housing (see col. 1, line 56 to col. 2, line 14), and memory means in the housing for selectively storing the images captured by the camera and sounds captured by the microphone (see col. 2, lines 15-24, col. 3, line 61 to col. 4, line 10). Shamosh further disclose means (modem) for transmitting of converted signals to a base (34) through radio frequency transmission means (col. 4, lines 11-28) and means for selectively operating the means for selectively activating the camera, microphone and cellular telephone, the memory means as well as the audio recording means (see col. 3, lines 28-41), and a means for automatically use the cellular telephone to transmit the stored digitized video/audio signals to a base or remote location (see col. 1, lines 6-10, col. 6, lines 25-35), but fail to specifically disclose a means for activating the cellular telephone for wirelessly communicate with a remotely located telephone by dialing the number of the remotely located telephone before transmitting the images and sounds from the camera and microphone to the remotely located telephone.

Hess teaches a portable alarm system which has the capability of initiating a telephone call to a security monitor station by cellular transmission when an alarm condition is sensed (see abstract). It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Hess with the invention of Shamosh for the benefit of having an integrated portable security communication system that offers a high degree of protection.

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means for activating the cellular telephone for wirelessly communicating with the remotely located telephone by dialing the number of the remotely located telephone (see col. 5, lines 25-32), and when the cellular telephone and the remotely located telephone are telephonically connected, then transmitting the images from the digital camera to the remotely located telephone (see col. 5, lines 32-43).

8. Claims 44, 47, 50, 52 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Shamosh et al. (5,144,661)** and **Hess (5,587,701)** and further in view of **Reele et al. (5,893,037)**.

Regarding claim 44, **Shamosh** discloses (with reference to FIG. 3), a security protection system that includes a camera, a microphone and a cellular telephone (32), electrically connected in a housing (60), with a battery means in the housing for supplying electrical power to the camera and the cellular telephone (38), means for activating the camera, microphone and the cellular telephone (sequence time controller of FIG. 1), for capturing images and sounds within a range of the housing (see col. 1, line 56 to col. 2, line 14), alarm sensor means (12) mounted in the housing for detecting a sound or a movement within a predetermined range (see col. 5, lines 16-20), selectively arming the alarm sensor means for then automatically operating the means for activating the camera, microphone and activating the microphone when the sensor means detects a sound or movement (see col. 5, line 16 to col. 6, line 25) and memory means in the housing for selectively storing the images captured by the camera and sounds captured by the microphone (see col. 2, lines 15-24, col. 3, line 61 to col. 4, line 10). Shamosh further disclose means

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(modem) for transmitting of converted signals to a base (34) through radio frequency transmission means (col. 4, lines 11-28) and means for selectively operating the means for selectively activating the camera, microphone and cellular telephone, the memory means as well as the audio recording means (see col. 3, lines 28-41), and a means for automatically use the cellular telephone to transmit the stored digitized video/audio signals to a base or remote location (see col. 1, lines 6-10, col. 6, lines 25-35). Shamosh's video/audio recorder unit reads on the claimed audio recorder mounted in the housing for and having means for selectively recording sounds within range of the housing (col. 3, lines 36-49) but fail to specifically a means for activating the cellular telephone for wirelessly communicate with a remotely located telephone by dialing the number of the remotely located telephone before transmitting the images and sounds from the camera and microphone to the remotely located telephone.

Hess teaches a portable alarm system which has the capability of initiating a telephone call to a security monitor station by cellular transmission when an alarm condition is sensed (see abstract). It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Hess with the invention of Shamosh for the benefit of having an integrated portable security communication system that offers a high degree of protection. Shamosh as modified by Hess fail to specifically disclose an audio recorder for selectively recording audible transmissions to and from the cellular telephone.

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**Reele** discloses a portable information communication device with an audio recorder means mounted in a housing and having means for selectively recording audible transmissions to and from the cellular telephone (see col. 6, lines 1-5).

It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Reele into the system of Shamosh as modified by Hess for the benefit of providing dual communication capability in a portable security system.

Regarding claim 47, Shamosh as modified by Hess does not specifically teach a jack connection for directly the memory to a computer for downloading the stored images and sounds from the memory means.

Reele further disclose a jack connection for directly connecting the digital memory to a computer for downloading the stored images and sounds from the memory (see col. 6, lines 28-32). It would have been obvious to one of ordinary skill in the art to incorporate the teaching of Reele into the system of Shamosh as modified by Hess for the benefit of providing dual communication capability in a portable security system with downloading capabilities.

Regarding claim 50, The combination of Shamosh, Hess and Reele disclose everything as claimed, as applied to claim 44 above but fail to disclose a remote microphone and earpiece connected by wire means to the cellular telephone for remotely using the cellular telephone. However, Official Notice is taken that the concept of using a microphone and earpiece connected by wire means for remotely using a portable telephone such as a cellular telephone is very well known in the art for hands free operations. Hence it would have been obvious to one of ordinary



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skill in the art at the time of the invention to provide a separate microphone with an earpiece for conveniently using the above system of Shamosh, Hess and Reece remotely without undue risk taking by a user in emergency situations.

Regarding claim 52, Shamosh further disclose an alarm means mounted in the housing and being activated to produce an alarm when the sensor means detects a sound or movement (see col. 5, lines 16-24).

Regarding claim 53, **Shamosh** teaches battery means (external power 38) comprises a single battery (see col. 4, lines 32-36).

9. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Shamosh et al. (5,144,661)** and **Hess (5,587,701)** and further in view of **Villa-Real (4,481,382)**.

Regarding claim 49, Shamosh as modified by Hess fail to specifically disclose the system comprising an AM/FM radio means mounted in the housing and having controls for selective operation.

**Villa-Real** teach a programmable telephone system that has an integrated AM/FM radio (see FIG. 4).

It would therefore have been obvious to one of ordinary skill in the art to combine the teaching of **Villa-Real** with the system of Shamosh and Hess for the benefit of providing a multi-functional communication device.

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10. Claim 63 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Shamosh et al**, **Hess and Reelee et al** as applied to claim 44 above, and further in view of **Lehtonen et al**. **(6,014,573)**.

With respect to claim 63, the combination of Shamosh and Hess as modified by Reelee does not specifically disclose means for selectively reproducing sounds recorded on the audio recorder at the housing.

However, the reproduction or playing back of recorded audio is notoriously well known in the art as taught for example by Lehtonen. Lehtonen teaches a communication device with the capability of reproducing recorded audio signals at varying levels (see col. 4, lines 17-57). It would therefore have been obvious to use the teaching of Lehtonen with the system of Shamosh, Hess and Reelee for the benefit of simplifying user interfacing with recording and playback features.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lebowitz (4,825,457), discloses a cellular network data transmission system with an auto dialer for responding to specific conditions.

Creuseremee et al. (5,546,072), discloses an alert allocator.

Lin (5,748,081), discloses a multi-functional anti-theft assembly.

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Tanaka (5,382,943), discloses a remote monitoring unit.

Fraley (5,793,419), teaches a portable audio/video surveillance system.

Wieck (6,011,967), teaches a cellular telephone alarm system for transmitting audio and video data to a remotely called telephone number.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Appiah whose telephone number is (703) 305-4772. The examiner can normally be reached on M-F from 7:30AM to 5:00PM.

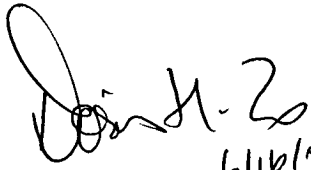
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Reinhard J. Eisenzopf, can be reached on (703) 305-4711.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900. The Group fax numbers are (703) 308-6306 and (703) 308-6296.

  
DORIS H. TO  
PRIMARY EXAMINER  
6/16/00

Serial Number: 08/846,108

CA  
Charles Appiah

June 12, 2000